tion, insurrection, mobocracy and disregard of duty always come out."

"We are not paralyzing the government," williams (Miss.), "An exinterposed Mr. Williams (Miss.), "An exinterposed Mr. Williams (Miss.), "An exof duty always come out."

"We are not paralyzing the government,"
interposed Mr. Williams (Miss.). "An extra session could be called, and such a session would give Congress an opportunity to pass the Littlefield bill."

"If I were a candidate for Speaker," re-plied Mr. Grosvenor, smiling, "or a can-didate for the minority leadership, per-haps I might favor an extra session. But haps I might favor an extra session. But being neither the one nor the other, I think we should allow our democratic friends to go home and return in December, after he reconcentrado spirit has died out." He then demanded the previous ques-

The Rule Adopted.

The previous question was ordered, 163 to 103, and the rule was adopted-154 to 101. On the latter vote Mr. Loud (Cal.) voted with the democrats. Mr. Hemenway (Ind.) then presented the

conference report on the fortifications appropriation bill. Mr. Underwood asked if, under the rule, the minority was to be allowed one-half

of the time (ten minutes) given under the rule just adopted. Mr. Hemenway replied in the affirmative, and yielded five minutes to Mr. Underwood. The latter, however, could not find any one on his side who desired to speak, and yielded back five minutes, amid the jeers of the republican side. The vote was then taken on the adoption of the report. The report was adopted—214 to 8. Under the operation of the rule adopted earlier in the day the Speaker then laid before the House the immigration bill, with Senate

The bill was sent to conference-190 to -and the Speaker appointed Messrs Shat-tuc, Adams and Robb conferees.

Omnibus Buildings Bill. Mr. Mercer, chairman of the committee on public buildings and grounds, was recognized, and moved to suspend the rules, disagree to the Senate amendments to the omnibus public building bill and send the bill to conference.

Hepburn Defends the Rules.

Representative Hepburn (Iowa) was granted time by Chairman Mercer, and occupled the floor for five minutes in defense of the republican rules. Mr. Hepburn took the democratic party severely to task for their fillbuster.

He reviewed their threat to prevent all legislation possible and declared that the rules which had been adopted to circumvent this they themselves were to blame for and no one else. He declared further that the precedent which was being fol-lowed by the republicans was a democratic precedent. To this the democrats cried 'No! No!" Mr. Hepburn continued lecturthis the democrats cried ing the democratic party, saying that for once they would have to stay in their seats and take a full dose of the medicine which

he new rules provided. The democrats on their part made many demonstrations during his speech, denying what he said, while the republicans ap-

Mr. Hepburn acknowledged before sitting down that he had made many complaints against the rules himself and when this statement was made the democrats laughed long and loudly. But, he said, he could now see the necessity for the adoption of the strict rules provided in order that the country might have the legislation which was absolutely necessary at this session of Congress.

District Bill Criticised.

During the debate on sending the omnibus public building bill to conference Representative Cowherd of Missouri made a speech on the conference report on the District of Columbia appropriation bill, which was agreed to by the House yesterday. He stated that he presumed few members of the House knew that report raised the price gas in the District of Columbia from \$20 to \$24 a year for street lamps. He referred to the enormous profits which were being made by the Washington Gas-

light Company, saying that they had in-creased their capitalization several times and that once they had declared two divi-dends in one year. Mr. Cowherd then took up the filtration plant. Notwithstanding the fact, he said, that existing law fixed the limit of cost of that plant at \$2,768,405, be conferees without authority had increased the limit of cost by some hundred thousand dollars. This was absolutely a violation of the rules of the House, and when he had appealed to the chair for time

Another instance in the bill which came under the same head, he declared, was the Item in regard to street work. The House had appropriated \$12,000 for paving, the Senate raised this amount to \$41,000. This made the item of cost the only thing in disagreement between the two houses. Notwithstanding this, he said, the conferees had brought in a provision requiring the Commissioners hereafter to submit their schedules according to certain rules. This provision was absolutely new legislation in every respect, he said, and not the subject of consideration by a conference committee. When he called the attention of the House to this fact during the consideration of the

report he was ruled out of order by the Mr. Cowherd directed the attention of the republican members of the House to the fact that they were making dangerous precedents. Every one of these precedents went on record, he said, for future Con-gresses to follow. He did not believe that the democratic party would follow such un-wise precedents, but he warned the republi-cans that should the occasion arise when the democrats had control of the House they would have ample justification in using these precedents as a club on the re-publican minority publican minority.

SENATE.

Immediately upon convening today the Senate, on motion of Mr. Hale, took up the general deficiency bill. In the course of the reading of the bill

the House amendments to the omnibus pub-He building bill were sent to conference and Messrs. Fairbanks, Warren and Turner were appointed conferees. The conference report on the fortifica-

tions appropriation bill was agreed to. Consideration of the general deficiency bill then was resumed. At 1 o'clock the unfinished business, the

Aldrich financial bill, was laid before the Senate. At Mr. Aldrich's request it was laid aside temporarily, to permit the general deficiency bill to be disposed of.

The Senate amendment relating to assignments, sales and transfers of claims before the Spanish treaty claims commission and limiting the fees and expenses of

attorneys was stricken out on a point of order by Mr. Pettus. The conferees on the fortifications bill ac cepted all the Senate amendments, which insert a provision relative to the purchase of land on Cushings Island, Maine, and another provision with reference to the ex-penditure of moneys appropriated by the act under the respective bureaus of the War Department and makes available, in

judgment of the Secretary of War, an additional \$40,000 for the completion of a new elevating carriage that is being con-structed for the government. The reading of the deficiency bill occu-led three hours' time. The committee amendments were agreed to.

An amendment was agreed to appropriat ing \$3,000,000 to carry out the provisions of the omnfbus public building bill. An amendment was agreed to providing hat claims for rebates on tobacco and

snuff shall not be paid unless presented prior to April 1, 1903. The amount appropriated for the pay-ment of the claim was increased to \$1,370.

A MATTER OF COURTESY.

Salvadorean Minister to Be Allowed to Present Additional Evidence.

The award in favor of the United States made by the arbitrators in the case of It Triumfo, an American corporation in Salvador, became due yesterday. Minister Lopez, however, a short time ago appealed to Secretary Hay for an opportunity to present additional evidence bearing on the case.

The Secretary has agreed to allow him to subpidt a brief prepared by an eminent international lawyer resident in Europe to

Senate From Delaware.

VICTORY FOR ADDICKS

SIGN TO HIM.

BELIEF THAT ALLEE WILL RE-

by the Regulars After a Hard Fight.

Special Dispatch to The Evening Star. DOVER, Del., March 2.-The Delaware legislature at 2:30 o'clock this afternoon ended the senatorial deadlock by electing State Senator J. Frank Allee (union republican) to the long-term senatorship, which expires in 1907, and Representative L. H. Ball (regular republican) to the short term, which ends in 1905. The regulars in caucus at the Hotel Richardson at 1:45 o'clock nominated Representative Ball as their condidate by a vote of 7 to 1, the single ballot being cast for exSenator Anthony Higgins. The union republicans had previously nominated Allee. The chamber of the house was crowded, and there was a wild demonstration when the result was reached. Allee was congratulated by his colleagues and by the assembly generally.

The Ballot at Noon.

The ballots in joint session at noon today were ineffective, but as soon as they had been taken, State Senator George W. Sparks (regular republican) moved that a recess be taken until 2:30 o'clock, and this was car-

This outcome was brought about by the regular legislators this morning accepting the proposition of the union republicans which was agreed upon at the meeting in Addicks' office in Philadelphia on Saturday. That proposition was that the unions secure the long term and the regulars the short term. The leaders of the regulars, notably their

state chairman, Henry B. Thompson, Maj. Edmund R. Mitchell and ex-State Senator Sam'l M. Knox of Wilmington, protested vigorously to the legislators of their faction against the acceptance of the Addicks prop osition, but their advice was not heeded. They were overridden. They realize that the election of Allee, who is Addicks' right power, may mean that he will resign soon after being inducted into office for the purpose of enabling Governor Hunn to appoint Addicks himself to the senatorial vacancy and thus make the union republican leader

The regular legislators, however, took the bit between their teeth, with Republi-can Wm. R. Flinn, the regulars' leader in the house, as the driver, and did as they pleased. Flinn, it is said, wants to be governor, and on this account was anxious to placate the Addicks' forces in order to secure their support for his nomination.

Addicks Cheered and Hissed.

Mr. Addicks appeared on the floor of the house shortly before noon and was cheered by his cohorts. The cheers were then drowned out by hisses. But the hostile demonstration did not disturb his equanimity. He sat between Representatives Jones (union republican) and Tyre (nominal regular) and watched the balloting at the noon session with interest.

Exciting Day at Capital.

Politicians and prominent men from all parts of the state came here this morning with the expectation that the senatorial to be heard he was denied and also ruled against on his point of order against the time since the beginning of the deadlock time since the beginning of the deadlock the republican national committee sent an emissary here in the person of Representa-tive Charles H. Dick of Ohlo, with instructions from National Chairman Hanna to urge the regular republicans to accept the proposition agreed upon by Addicks and his lieutenants at the conference in Philadelphia on Saturday for the election of a union republican to the long-term senatorship, and a regular republican to the short term. Addicks himself being eliminated. Mr. Dick admitted that he was here on this important mission. His headquarters are at the Hotel Richardson, where, prior

to the holding of a joint session of the legislature, he received delegations from each republican faction.

Mr. Dick's Statement.

Mr. Dick said: "The regulars should accept the proposition of the union republicans. This is the best thing to do, and is what the national committee wants. I am doing all I can to bring this result about." The fact that Representative Dick is an "outsider" and has no personal interest in the affairs of Delaware whatsoever, and being regarded wholly as the personal representative of Senator Hanna, was not relished by the regulars.

State Chairman Salusbury, democrat, presented a proposition to State Chairman Henry B. Thompson of the regular republicans agreeing to use his influence for the election by the democrats and the regulars of the two regular republicans for United States senators. The liberality of this move was appreciated by Mr. Thompson, and he agreed to do everything within his power to have the regular legislators agree to this proposition, and thereby defeat the scheme of Addicks.

Democrats Asked to Sign.

Mr. Saulsbury and ex-Senator Richard R. Kenney presented a paper to the twentyone democratic legislators when they met in caucus shortly after 11 o'clock to this effect, and asked them to sign it. This conclusion on the part of the democrats was ratified this morning at a meeting at the Capital Hotel of the advisory committee of the democratic state committee. regular republican legislators also

met in caucus this morning at the Hotel Richardson. Representatives Price and Tyre the nominal regulars were at first taken in the regular's caucus, but after a few minutes they withdrew, this course evidently being agreeable to the regulars. republican legislators as to what course they would pursue, whether they would ac-cept the democratic offer for two regulars or accept the Addicks proposition. Just be-fore the holding of the joint session the ex-citement ran high and the question was not

Mr. Addicks, accompanied by his two daughters, came here this morning on the same train with the politicians. The democrats at their caucus were unanimous for the election by the democrats and regulars of one regular to the long term senatorship, but were divided as to the election of two regulars. A democratic committee comprising Senator Clements and Representatives Buckmaster and Thompson, waited upon the regulars, but obtained no satis-

NEARING THE CLOSE.

Verdict in Armes Shooting Case Expected This Evening.

It is expected that a verdict will be rendered in the Armes shooting case late today. When the trial was resumed this morning in Criminal Court No. 1 Assistant United States Attorney Taylor called Attorney F. I. Siddons and several other witnesses to testify that they had never heard the reputation of Maj. George A. Armes for truth and veracity questioned. It was then announced that the case of the government was closed. Next, several hours were devoted to the discussion of prayers for in-structions counsel desired the court to give

facts were not fully developed during the arbitration. It is not contemplated, however, that the case shall be reopened, as to do so would be to severely reflect upon the fairness of the arbitration. So the desertal principle of arbitration. So the delay granted in the case is extended as a matter of courtesy.

Shortly before 2:30 o'clock this afternoon the summing-up addresses of counsel to the jury were begun, Mr. Taylor opening for the government. He will be followed by Atterney Creed M. Fulton in behalf of the defendant, J. Roland Johnston. Mr. Taylor will close, and after Justice Andergarding the law covering the case the jury will re-Shortly before 2:30 o'clock this afternoon

Elected to the United States Will Remain With Fire Department Until July 1.

REGRET OF THE MEN

HIS RETIREMENT THE SUBJECT OF GENERAL COMMENT.

Unionists' Proposal Finally Accepted Record of the Department Since He Took Charge-Flattering In-

> Chief Engineer Dutton of the District fire department, who has been legislated out of the office he has so efficiently filled for nearly two years past, by the terms of the District appropriation bill as passed by Congress, stated today that he would probably remain at the head of the department until the 1st of next July, when the new law becomes operative. Since the announcement yesterday morning that the five years' fire service clause had been reinserted as a limitation to the appropriation for a chief engineer of the department in the bill, Chief Dutton has received many messages from his friends offering to do all in their power to secure a reconsideration of the matter. Mr. Dutton said today he was deeply appreciative of these kind offers and the many expressions of confidence he had received from business men and property wners. To them he stated he was satisfied with the outcome of the affair, and wished nothing further done in his behalf. It is evident that the House committee on appropriations has determined that the head of the fire department should be an active fire fighter and not an executive man. This being the case, there was nothing further to be said on the subject. Mr. Dutton has received renewed assurances from the Capitol that nothing personal was intended in the

> > Messages of Regret.

The most gratifying feature of the present situation to Chief Dutton is the attitude of the men of his command. During yesterday and today he has received from the men in the ranks innumerable messages of regret that he is to leave the department. Since soon after he was inducted into the office Mr. Dutton has inspired the confidence of the men under him. This is not only true of the privates of the department, but of the assistant chiefs, from Senior Assistant Chief Belt down. The relations between Chief Dutton and Chief Belt have not only been most pleasant at all times, but have been cordial in every respect. Mr. Dutton took an immediate interest in the affairs of the men of the department. The result was a quick improvement in discipline and effi-ciency. Several of the companies where matters did not seem to be moving smooth-ly were reorganized and have since become some of the most efficient commands in the service. One of the new chief's first acts was to

secure the reorganization of the firemen's relief association. When he took command of the department this association was without a head and did not have a dollar in the treasury. Today it is a flourishing organization, with Chief Belt as president, and has \$3,000 accredited to its account. Since Chief Dutton took charge several ex-cursions for the benefit of the firemen have swelled the fund to its present size, and it is sufficient now to meet almost any demands that may be made upon it.

Success of His Administration. That Chief Dutton's administration of afdemonstrated the wisdom of the Commissioners' policy in placing him in his present position has been conclusively shown by the results attained. The first year of his administration was marked by the lowest fire loss the District had known for twelve years. Chief Dutton's work has been largely of a preventive character, as a number of prominent citizens stated to the Senate committee on appropriations at a recent

hearing granted them. A delegation of citizens appeared before the Senate committee when the bill was under consideration there and the House clause that was objectionable to them was soon displaced. It was restored in conference, however, although the Senate conferees are said to have held out until the last moment. At the hearing a paper was read asking that Chief Dutton be retained, signed by citizens whose names commanded & Lothrop, C. J. Bell, president of the American Security and Trust Company; John Joy Edson, president of the Washing ton Loan and Trust Company; G.W. F. Swartzell, president B. H. Warner Company; Parker, Bridget & Co., Coroy Brothers, N L. Burchell, Lansburgh & Bro., Saks & Co. G. G. Cornwell & Son. A. Lisner, Palais Royal; S. Kann, Sons & Co.; Charles C. Glover, W. B. Moses & Sons, and C. W. Howard, president of the board of fire un-

derwriters.
The communication closed with a plea that the restricting provision be stricken out in order that Mr. Dutton's "valuable services" might not be lost.

Beneficial Changes. Mr. Dutton's administration has brought about many changes in the department. He has visited the great fire conventions and has kept abreast of the times, spending as much of the fund at the disposal of the department as was available in the purchase of new and improved equipment. The entire department has been equipped with the new nozzles which throw a solid stream instead of the old swirling spray. Life nets have been added to the equipment of all the trucks and face masks have been provided for the men who must work in dense smoke. A new truck has been bought which can be raised in a few seconds, new and powerful engines have been products of the modern market. Dutton has succeeded in securing larger

button has succeeded in securing larger general appropriations for the department than it has ever had before.

When he took charge the firemen were allowed only ten days' leave each year. Chief Dutton succeeded in having this leave doubled. He introduced the merit system, promoting the men in the various grades as they reached the top. No deviation was made from this principle. Bravery has been promptly rewarded by promotion in every worthy instance. Firemen have been allowed extra "days off" for service in extinguishing fires without the necessity of calling in the company.

The Commissioners today stated they ton's retirement and his probable successor

BREVET NOMINATIONS.

An Exhaustive Report by Senate Mili-

tary Committee. Senator Cockrell, from the committee on military affairs, has submitted an exhaustive report upon the brevet nominations which were sent to the Senate during the first session of the present Congress. The committee adheres to the statute of 1869. which provided that no brevets should be granted, except in time of actual war. As these brevets were conferred after the Spanish war had ended, they will not be reported to the Senate for confirmation.

Will of Charles B. Fisher.

By the terms of the will of Charles B. Fisher, dated January 19, 1903, and filed this afternoon for probate, the estate of the testator, which includes premises 1408 Pierce place, is left to his wife, Cora D. Fisher. In his will Mr. Fisher expressed the wish that his wife's children and his daughter-in-law, Susie J. Fisher, if they so decide, may continue to enjoy the privileges of the premises mentioned.

Carrie Nation Arrested Again. SAN FRANCISCO, March 2.-Carrie Nation was arrested at the Grand Hotel last night on a charge of malicious mischlef, preferred by a saloon keeper in whose place lli re-leased on ball.

TO CONGRESS.

Reason for the Inconspicuous Appearance of President's Office-Permanent Building Desired.

The President has transmitted to Congress the report of McKim, Mead and White, architected on the restoration of the White Houses

"It was not! without many misgivings," the report states, "that we accepted at your hands the task of restoring the White House. The amount of the work to be done could not be ascertained with any degree of certainty, for it is never possible to estimate the extent of repairs necessary to reconstruct a building devoted to domestic uses; and in this case, although two different estimates were made by men of experience, the result showed that unexpected items of large expense were encountered.'

Of the President's office building the report says:
"Obviously the first step was to find some place other than the White House for the executive offices. Every suggestion for the location of a permanent office building was open to some objection that seemed insuperable. No location outside the White House grounds could be decided upon and secured in the short time available. To building, which should be comfortable on the interior and inconspicuous in appear ance, leaving Congress at its leisure to take up seriously the question of a permanent, adequate and thoroughly dignified office for the chief executive. The architects state that they hope no increase in the height of the office build-

ing will be permitted because of the injury that would be inflicted on the appearance to the White House.

The report describes the condition of the White House when the renovation was undertaken as being very bad.

dertaken as being very bad.

"There was scarcely a room in the house." the report, says, "in which the plaster was in good condition. In a number of instances as many as five layers of paper were found, and when the paper was removed the plaster came also.

"The second floor showed such a degree of settlement and unevenness as to make an entire new floor necessary. The floors of the rooms heretofore devoted to the offices were so weak that steel beams were

ffices were so weak that steel beams were In connection with the elevator it is interesting to note that a part of the calk woodwork in the new elevator car was made from roof trusses of the Old South Church in Boston, which in its day sheltered the Boston tea party.

SENATOR-ELECT SMOOT.

He Will Be Sworn In and Investigation Postponed.

The President's action in calling an extra session of the Sepate to meet March 5 makes the seating of Senator-elect Smoot of Utah a matter for early consideration. It is expected that very soon a petition from citizens of Utah favoring the seating of Mr. Smoot will be received.

committee on privileges and elections until the meeting of the Fifty-eighth Congress. expiration of the term of Senator Pritchard.

a republican, and if there was in the Sen-

as a senator and will have all privileges of any other senator. If the committee should act adversely on his case that action would be reported to the Senate with a resolution declaring his seat vacated. The prevailing opinion among senators is to the effect that Mr. Smoot will retain his seat. His case will be reviewed from a judicial standpoint by the committee and will not be affected by petitioners, however large their number, except to the extent that they may present evidence.

CLERICAL CHANGES.

Appointments and Promotions in the War Department.

Changes in the classified service in the War Department are announced as follows: Appointments under civil service rules: Office of the Secretary-August Schmidt of the District of Columbia, watchman, at \$540. Office of the quartermaster general-William H. French of the District of Columbia, clerk, at \$720. Office of chief signal officer-Otto Haube of the District of Columbia, laborer, at \$660. Bureau of insular affairs-James B. McCreary of New York,

clerk, at \$1,200. Promotions: Office of the surgeon general -Mrs. Namle W. Turk of Virginia, from clerk, at \$720, to clerk, at \$840. Office of the commissary general—Morgan a Guinnip of Pennsylvania, from clerk, at \$900, to clerk, at \$1,000; Miss Willametta Davis of Oregon, from clerk, at \$840, to clerk, at \$900; Elgin Lewis of Michigan, from clerk, at \$720, to clerk, at \$840.

Resignations: Office of the adjutant general—H. A. Schreffler of Illinois, clerk, at \$1,000. Office of the commissary general—Miss Harriet E. Mathews of New Jersey, clerk, at \$1,000. Office of the chief of ordnance—Charles H. Paul of Nebraska, clerk, at \$1,000; Thomas W. Schwab of Pennsyler of the chief of the chief.

messenger boy, at \$300.

vania, clerk, at \$840. Bureau of insular af-fairs—Miss Mary A. Agnew of Maryland, clerk, at \$720; Gratz P. Hughes of Indiana,

Flag for the Postal Service. The Post Office Department will shortly adopt a flag emblematic of the postal service. Several designs are under consideration, including the figure of an eagle clutching an envelope and the present design of a post rider on a circular field. Other de-partments have a distinctive flag, and the mail transfer dealt on the takes and in New York harbor will lift the immediate future have the special flag of the service flying from their mastheads.

Restrained From Cashing Check. Justice Gould, in Equity Court No. 2, this afternoon signed an order in connection with the proceedings for divorce recently instituted by Ida May Yeoman against Wm. H. Yeoman, restraining Mr. Yeoman from cashing a check for \$3,300 drawn by Henry R. Conkling on Crane, Parris & Co. The court further appointed John Ridout receiver to take charge of the check. The order was baggli of a showing made by Mrs. Yeoman that her husband has sold the business conducted by them jointly at 513 lith street to Mr. Conkiling for \$3,500; that he was paid \$200 in cash and then given a check for \$3,300, and that he is preparing to leave the city. Attorney R. G. Donaldson represents Mrs. Yeoman. ceiver to take charge of the check. The

Regarding Quarantine of Wool. After consultation with the President, Secretary Wilson of the Department of Agriculture has decided to modify the recent order of his department regarding the quarantining of New England wool so that foreign-grown wool and wool grown in states outside of the zone infected by the foot and mouth disease will not hereafter be subject to quarantine, provided it has not come in contact with wool which the Department of Agriculture officials regard

2 per cents, registered, 1908-1928, 1074, 2 per cents, registered, 1907, 1083, 2 per cents, coupon, 1907, 1083, 2 per cents, registered, 1925, 1344, 3 per cents, registered, 1925 cent order of his department regarding the

ARCHITECTS REPORT SUBMITTED PETITION OF CHING, CONVICTED OF CENSUS FRAUDS, DENIED.

> Taking Testimony in Chicago Drainage Canal Case-Oleomargarine Cases Advanced.

The United States Supreme Court today denied the petition of Joseph H. Ching for a writ of certiorari to bring his case into the court for review. Ching is accused of trauds in Maryland in connection with the last census, and is under sentence to serve a term of two years in prison at Baltimore, Mr. The effect of today's decision is to leave this verdict in force.

A stipulation definitely fixing the time for the taking of testimony in the Chicago drainage canal case was filed in the court. The agreement provides that Missouri may resume the presentation of the case on the 9th instant, the same to conclude April 21 next; that Illinois shall have from April 23 to June 19, and that the retaking of rebutting testimony on both sides shall be con-cluded by July 3. It also is agreed that either party may use any time in taking re-buttal testimony, not exceeding ten days in all, which may not be used by them in taking testimony in chief. A motion was entered by Maxwell Evarts to advance for hearing the case of Charles T. Barney vs. Mayor Low and

other members of the rapid transit com-mission of the city of New York and the construct within those grounds a but ling sufficiently large and imposing to stand as permanent offices would be to detract from the White House itself so seriously as to be absolutely out of the question. The one possible solution, therefore, was to occupy the only available space with a temporary building which should be comfortable on and Water Company vs. the San Jose Ranche Company. The case involved the question as to the owneship of important water rights in San Dimas canyon, Cali-The decision was in favor of the priority of the ranche company's rights, fornia.

The oleomargarine cases of Cliff, Schick and Broadwell were consolidated and advanced on the docket to be heard the second Monday of the next term of court. An opinion was handed down by Justice Holmes in the case of the Pullman Company agt. Wirt Adams, state revenue agent of Mississippl. The case involved the validity of a special state tax on sleeping cars, which the Pullman Company resisted on the ground that the law is an inter-ference with interstate commerce. The law was sustained by the Mississippi supreme court, and today's opinion affirmed that

CANNOT ACCEPT THE \$500.

Col. Biddle Discusses Tender of W., A. and F. C. Railway Company.

Engineer Commissioner Biddle today subnitted a statement to his associates with regard to the tender of \$500 made Saturday by the Washington, Arlington and Falls Church Railway Company as partial deposit toward alterations to the Aqueduct bridge to allow the laying of a single-track electric railway across the structure.

The company also filed a copy of an agreement entered into between it and the Great Falls and Old Dominion Company, which has a prior claim to the use of the Colonel Biddle says the tendered \$500 can-not be accepted at this time, as the rights have not accrued to the Falls Church road.

He says: All the papers relating to Mr. Smoot, in-cluding his credentials, have been filed in me that the Great Falls and Old Dominion "The deputy collector of taxes informs the Senate and will not be sent to the Railroad Company deposited \$1,000 with committee on privileges and elections until the collector of taxes on February 25, the meeting of the Fifty-eighth Congress.
On March 5, however, all these papers will forms me that the Washington, Arlington be sent to the committee. There will be a and Falls Church Railway Company, by vacancy on the committee because of the Chas. S. Hinchman, president, tendered a deposit of \$500 in accordance with an agree-ment with the Great Falls and Old Dominand the credentials of senators-elect will ion Company. This tender was also made not be considered by the committee until to me by Mr. Hinchman. that place is neithed. For that reason the committee will not be able to take up the matter for several days at least, and it is probable that the case will go over until next winter most in the case will go over until next winter most in the case will be filled by a recombilise of the act, and the further sum of \$24,000 within three months after the passage of the act. If the company described the passage of the act. If the company described the passage of the act. If the company described the passage of the act. If the company described the passage of the act.

does not make these deposits within the time specified all rights under the act, so ate a republican senator from the south he would likely get the place in order to preserve the present geographical distribution of the committee membership.

On March 5 Mr. Smoot will be sworn in the specified all rights under the act, so far as said company is concerned, are forfeited, in which event the Washington, Arlington and Falls Church road may, within ten days after the default of the former company, make the deposits required.
"As the Old Dominion company has made time for making the second deposit has not its part, and no rights have yet accrued to the Washington, Arlington and Falls Church company, and the office is without authority to accept any tender by it for the purpose in question, and I recommend that the president of the company, Mr. Hinch-man, be informed to that effect."

DRAKE DISHEARTENED.

Superintendent of Insurance Threatens

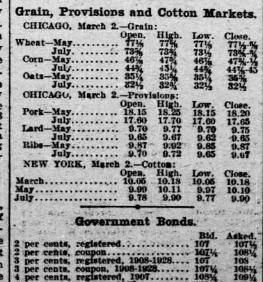
to Resign. Mr. Thomas F. Drake, superintendent of insurance, the first head of the insurance department of the District of Columbia, announced today that unless the item of \$1,000 pending in the general deficiency bill before Congress for the increase of his salary from \$2,500 to \$3,500 for the current fiscal year is restored he will resign his

Mr. Drake came to Washington and took up the affairs of the insurance department with the understanding that the Commissioners would urge upon Congress that the salary of the superintendent of insurance should be at least \$3,500 a year. An amend-ment to that effect was placed in the code of laws creating the department. Congress, however, appropriated only \$2,500. In order to make up the deficiency in the ers recommended to Congress that an item be placed in the general deficiency bill. It is understood that the Senate agreed to the appropriation, but the House did not.

In the appropriation bill for next year the sum of only \$2,500 is appropriated for the insurance superintendent's salary. The Senate raised the figure to \$3,500, but in even succeed in making a compremise,

going back to the House figures of \$2,500. Drake is Disheartened. Mr. Drake stated that if the deficiency item were passed, bringing the salary for the present year up to the figures in the code, he would be willing to go on with

taking chances on securing another deficiency item of \$1,000 from the next Con-Mr. Drake is pretty well disheartened with the treatment his department has rewith the treatment his department has received. The Commissioners asked for appropriations amounting to \$13,000 for its
maintenance. Congress appropriated \$7,000.
This action was very discouraging to the
officials, especially so in view of the fact
that the department is not only self-sustaining, but will return a balance into the
treasury over and above the estimated



Danger at Pittsburg Believed Stocks Opened Stronger, but to Be Passed.

MISSISSIPPI RISING NEWS WAS BEARISH

SITUATION IN NORTHERN OHIO IS STILL CRITICAL.

Several Persons Drowned at Findlay and Vicinity-Ohio Rising at Cincinnati.

PITTSBURG, Pa., March 2.-The rivers are again almost within their banks, and as the water is falling rapidly here and at the head waters the worst of the flood may be considered as over. At 10 o'clock this morning the Alleghany marks showed twenty-five feet and receding at the rate of half a foot an hour.

Only a half dozen times in a century has the record of yesterday been beaten, but notwithstanding this and the fact that the rise came in a few hours the damage was not as great as has been the case in many previous floods, when the water did not reach as high a stage. Indirectly the loss will be heavy, as all the mills and factories fronting the two rivers have been compelled to close on account of the water getting into the fly pit, and probably 40,-000 men will be thrown out of employment for several days. This will mean a heavy loss in wages.

Flood Was General.

The flood was general throughout all western Pennsylvania, the streams everywhere overflowing their banks and causing more or less damage to houses and farms that lay in their course.

With the falling water a mass of mud and sediment is left deposited on the low-land thoroughfares of the two cities. Little pools of water are frozen over, and the sidewalks are covered with sheets of ice. The water in many of the cellars also froze during the night, and the health authorities are apprehensive of much sickness following in the wake of the flood. As quickly as the waters recede gangs of men will be put to work and the flooded district thoroughly showed.

Danger at Cincinnati.

CINCINNATI, March 2.- The Ohlo river will reach the danger line of fifty feet by noon Tuesday, and will probably continue to rise Wednesday. The rise here during the past twenty-four hours has been 6.4 feet. With the rapid fall at Pittsburg and at Charleston, W. Va., where the Kanawha fell 2.2 feet, and with continued cold weather, the rise here will not probably be

HUNTINGTON, W. Va., March 2.-The Ohlo reached forty-seven feet at 11 o'clock and is rising rapidly. The Big Sandy, the welve Pole and the Guyandotte are boom ing, and great damage has resulted to time permen owing to the breaking of booms. In Ceredo fifty families have been driven from

MEMPHIS, Tenn., March 2.-After remaining stationary for twenty-four hours the Mississippi river at this point again began to rise slowly today and is now 1.2 feet above the danger line. A great area of farming land on the Arkansas side is inundated and in many instances farmers have abandoned their homes. The overflow pre vails in the lowlands as far south as He-

There has been no break in the levee sys-Situation Serious in Northern Ohio.

TOLEDO, Ohio, March 2.-Although the danger of a serious flood in Toledo passed today when the ice moved out of the Maumee river, it is not true of other towns in this section of Ohio. Specials to the Bee from northwestern Chio towns show that the situation is serious at Findlay, Lima, Tiffin, Marysville, Upper Sandusky and neighboring towns.
At Findlay Sam Mofflitt was drowned in

the street. The water had raised the side-walk. He broke through and met death in ten feet of water. Nelson Jacobs and Henry Thomas, also of Findlay, wealthy farmers, attempted to drive through a low place in the road, and the horses floundered in five feet of water. The men and horses were drowned. At Fremont David Divley was driving along the river road and in attempting to pass a low spot was swept away by the current of water and drowned All the rivers are higher than they have been for twenty years, steam and electric railway tracks have been washed out, and bridges are in danger. Persons living in the lowlands have been forced to abandon

their houses. WILKESBARRE, Pa., March 2.—The danger from flood ended today when the river after reaching twenty-one feet six inches began falling. This was due to the cold weather which has ended the thaw. The losses so far have been confined to a few washouts and the flooding of some mines. If the cold weather continues no further damage is anticipated.

Freshet at Bordentown, N. J. BORDENTOWN, N. J., March 2.-Water from the upper Delaware river has caused a freshet here. The docks, piers and buildings in the vicinity of the Delaware and Raritan canal are inundated. The lowlands of Pennsylvania opposite Bordentown are flooded. The river is still rising.

Washington Stock Exchange.

Washington Stock Exchange.

Sales—Regular call, 12 o'clock noon—Capital Traction, 1 at 130. Washington Railway and Electric Com., 28 at 12%. National Safe Deposit Co., 30 at 140, 34 at 140, 30 at 140, 20 at 140. Citizens' National Bank, 5 at 193, 10 at 193, 2 at 193. Washington Gas, 18 at 82%. Lauston Monotype, 100 at 10, 25 at 10, 30 at 10. Greene Copper, 100 at 26 (buyer 60), 100 at 25%, 100 at 183%, 10 at the work under the new appropriation bill, treasury over and above the estimated ex-

> Alfred Knapp Pleads Not Guilty. HAMILTON, Ohio, March 2. - Alfred Enapp was arraigned today in the police

Weakened Later.

BALLY AT CLOSE CAUSED FRAC-TIONAL GAINS.

Probable Failure of Financial Legislation Was the Main Argument of the Bears.

Special Dispatch to The Evening Star. NEW YORK, March 2 .- Opening London prices for American rallway shares showed some irregularity, but later the market there improved from 1/4 to 1/4 per cent above our closing prices of Saturday.

In the local stock market the opening figures were almost uniformly stronger and the speculation was fairly active at the start, the feeling among the traders being that if the Aldrich bill, as originally presented, did not pass, there were hopes still entertained that some compromise measure along the lines of the Aldrich bill and the Fowler measure would be acted upon before the adjournment of Congress.

These views, however, were not entirely borne out by the latest advices from Washington, where it was reported that the dem-ocrats still entertained hostility toward any financial legislation being enacted at this session of Congress.

session of Congress.

The copper shares showed the most activity and strength at the start. Amalgamated after opening % per cent higher than Saturday's closing figures, made a further gain of about % per cent. The rumors on the stock were of another advance in the price of the metal in London and that the trade nterests here were still bullish on the out-

in Pennsylvania the good annual report of Saturday brought in some outside in-vestment orders, and the stock gained about ½ per cent. New York Central was also in a little better demand and made a like gain Rock Island securities were active, and showed an improvement of about% per cent. The Wabash issues were firm at the open-

ing on the reported adjustment of wages with the employes of that road, but subsequently lost ground on the belief that the recent buyers of those stocks had secured nough of them to insure a controlling interest in the road. Sugar was not active, but the price was improved about % per cent on small transactions, Tennessee Coal and Iron and Smelters were also firmer at advances smetters were also himer at advances ranging from 1/2 to 3/2 per cent. The United States Steel issues were flat. In the bond dealings Pennsylvania convertible 31/4 s and Frisco 4's were notably active and firmer. After the first half hour of trading the general market weakened somewhat on a

renewal of short selling on reports from Washington that the Aldrich bill would not be allowed to come to a vote on account of democratic filibustering.

In this movement the market generally lost from % to ½ per cent, but there appeared to be some support in the Gould stocks, St. Paul and a few other prominent

Sales to noon amounted to 232,200 shares. and the market at that time continued to show weakness, prices having declined from ½ to 1 per cent in the active shares from

pening figures.
In the early afternoon trading the bears became more aggressive and the market gradually declined to about the lowest figares of the day, the only news being the unfavorable views taken as to the probability of the financial bill's passage.

on announcement of another advance of 4 cent in price of all grades of that metal, but the support was not as good as in the earlier dealings, and the price showed a decline of 1½ per cent from opening figures. As a group the local Traction shares showed the greatest weakness, both Metropoli-tan and Brooklyn Rapid Transit being under pressure of sales by the political bear pool in these specialties. The western crowd were also said to be aggressive sellers for the short account in some of the

active railway shares. In the late trading good buying of Man-nattan and some disposition to cover else-where in the market led to a rally in the general list, but the improvement was only fractional, and a good deal of stock came out on the advance. The speculation, however, on the whole, still appears to have largely discounted the expected defeat of the Aldrich bill, and when that event hap-pens, if it should finally turn out that way, the market is likely to rally on short cover-

New York Stock Market. Furnished by W. B. Hibbs & Co., bankers and brokers, 1419 F st., members New York stock exchange, Washington stock exchange and Chicago board of trade

Open. High. Low. SP.M 78% 174 72% 721 40% 40% 30% 307 Amalgamated Copper... 50% 50% 49% Anaconda Atch., Top. & S. Fe...... Atch., Top. & S. Fe, pfd 67% 134% 49% 34% Chesapeake & Ohio Chicago & Alton. Did..... Chicago & Alton. Did.... Chicago Great Western. 26 Chicago, Mil. & St. Paul. 175 25% 178% 46% 80% Chicago, R. I & P...... Chicago, R. L & P., pfd... Krie common..... Erie, 1st pfd..... Missouri Pacific New York Central....... keading, 2d pfd...... Republic Steel & Iron... Rubber Goods..... Louis & San Fran..... Louis & S. F., 2d pfd. st Louis Southwestern. St. Louis S. W., pfd...... Southern Pacific
Southern Railway
Southern Railway
Southern Railway
Tennessee Coal & Iron
Texas Pacific
Union Pacific

Baltimore Markets.

The engagement is announced of Jan